

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**RICHARD C. NITZ,**

**Petitioner,**

**v.**

**DONALD HULICK,**

**Respondent.**

**No. 07-0520-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Pending before the Court is Nitz's December 12, 2007 motion for stay of proceedings or dismissal without prejudice of time bar to refile after exhaustion of state remedies (Doc. 22). As of this date, Hulick has not responded to the motion.<sup>1</sup> Thus, the Court **GRANTS** the motion. The Court **STAYS** this matter to allow Nitz to exhaust the state court remedies.

**IT IS SO ORDERED.**

Signed this 9th day of January, 2008.

*/s/ David R. Herndon*

**Chief Judge  
United States District Court**

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<sup>1</sup>Local Rule 7.1(g) provides in part: "A party opposing such a motion shall have **ten (10) days** after service of the motion to file a written response. Failure to file a timely response to a motion may, in the court's discretion, be considered an admission of the merits of the motion."